

U.S. COURT OF APPEALS - EIGHTH CIRCUIT  
 APPELLANT'S FORM A  
 Appeal Information Form  
 To be filed with the Notice of Appeal

Appeal Docket No. \_\_\_\_\_

## STYLE OF CASE:

International Union, United Automobile,  
 Aerospace, and Agricultural Implement  
 Workers of America, and UAW Local  
 997, on behalf of themselves and the  
 certified class,

Appellant

vs.

## COUNSEL: NAME, ADDRESS, AND TELEPHONE NUMBER

Robert A. Seltzer, Cornfield and Feldman, 25 East  
 Washington Street, Suite 1400, Chicago, Illinois  
 60602-1803; 312-236-7800

Barry A. Macey, Macey Swanson and Allman, 445  
 N. Pennsylvania Street, Suite 401, Indianapolis,  
 Indiana 46204; 317-637-2345

Maytag Corporation, a subsidiary of  
 Whirlpool Corporation, and Whirlpool  
 Corporation,

Appellee

## COUNSEL: NAME, ADDRESS, AND TELEPHONE NUMBER

Douglas A. Darch, Baker & McKenzie LLP, One  
 Prudential Plaza, 130 E. Randolph Drive, Suite 3500,  
 Chicago, Illinois 60601; 312-861-8933

LIST ISSUES ON APPEAL (For administrative purposes). You may indicate that this also serves as your statement  
 of issues under FRAP 10(b)(3). ☐ Yes. ☒ No.

1) The district court's findings and conclusions are unsupported by the evidence or are contrary to the  
 evidence; 2) the court lacks subject matter jurisdiction because there was no case or controversy; 3)  
 the class certification is improper and contrary to applicable law; 4) the district court should have  
 dismissed the case because the requirements of the Declaratory Judgment Act, the LMRA, and  
 ERISA were not met; 5) the case should have been transferred to the Western District of Michigan.

## FOR LEAD COUNSEL ONLY

I ☐ have ☒ have not) discussed settlement possibilities on appeal with my client.

This appeal ☐ is ☐ is not ) amenable to settlement.

Submitted by: s/ Robert A. Seltzer  
 Signature of Lead Counsel

July 24, 2011

Date

## INSTRUCTIONS:

Filing of appellant's Form A is required to be submitted to the Clerk of the District Court with the Notice of Appeal (8 Cir. Rule  
 3B). If inadvertently omitted, appellant may file Form A directly with the Clerk of the Court of Appeals before appeal is  
 docketed. Forms are available at the District Court Clerk's Office and may be obtained electronically at:

[www.ca8.uscourts.gov](http://www.ca8.uscourts.gov)

Copy 1 - Send to Appellee (together with an uncompleted Form B)

Copy 2 & 3 - Send to Clerk, District Court with Notice of Appeal or Eighth Circuit (see above)

Copy 4 - Retain